THE OLD HACKLEY CONTRACT

THE LONG PENDING SUIT OF CHARLES

Mr. W. O. Bartlett's Argument to the Court on Behalf of the City-The Case of Brink agt, the Republic Fire Insurance Com-pany-The Court Reserves Bestston.

The long pending suit of Charles Devlin ngninst the Mayor, &c., involving the old Hackley contract for atreet cleaning, was under con-sideration yesterday before the General Term of the Court of Common Pleas on two proceed-ings. Pirst there was an appeal by the city, represented by Mr. W. O. Bartlett, from the order appointing Homer A. Nelson referee in the place of William Bloomfield, deceased, Second, there was an appeal by Mr. Bartlett, on behalf of denying a motion to vacate the order for a

Mr. W. O. Bartlett, in addressing the Court on behalf of the city, said: "Technically there are two appeals from two orders entered—one by the plaintiff, and the other by the defendant Donaldson-appointing Homer A. Nelson ref-eree in place of Wm. Bloomfield, deceased, They are in effect but one appeal, only by fancy of the parties two orders were entered making the appointment. We contend that the order was irregular for two reasons. First, the motion for the appointment was made pending a tion for the appointment was made pending a stay of proceedings in the case. It is quite true that the appointment was not made until after the stay had been vacated; but as there was a stay when the mo-tion was made, and as the appointment is founded upon that motion, and that motion was irregular, the appointment was irregular. The motion to appoint a referee, having been The motion to appoint a referee, baving been made pending the stay of proceedings, was ir-regular, and the order appointing a referee was not properly granted. I think it can hardly be necessary for me to argue to this Court that the Court will hold to be irregular a motion made in defiance of its own order, for it seems to me that the Court would hold itself worthy of contempt in holding any other view. Our second point on that motion is that as it was simply a motion to appoint a new referee instead or in of a referee deceased it was irregular wenues the death of the former referes vacated the order of reference. I maintain that a new referee could not be appointed until

second the order of reference. I maintain that a new referee could not be appointed until there was a new motion for a reference. In this view the authorities sustain us. There is the case of Emmest act. Bowers, where Judge Bosworth said: "Two of the references are dead, and the case is undecided. It is a matter of course to vacate the reference." Other cases establish the same point. I do not think it accessary to occupy the time of the Court any further on those two propositions. It follows as a matter of course that for the Court to hold that when there was a stay of proceedings any motion could be made, would be for the Court to hold the own stay of proceedings in the second appeal.

"This case was noticed for trial before the refered heretofore appointed, Homer A. Nelson, for the 15th day of March, 1859. In opening the case, Mr. Cronin, who appeared for all the parties interested in recovering against the city said: If we have any cause of action, we will establish it in a very brief time, and if we have a cause, we will present it in three or four days.' On an affidavit stating these among other things, the Mayor, &c., moved for setting aside the order of reference. This appeal is taken from the order denying such motion. My learned friends on the other side say, in answer to that, that I, as counsel for the city, contended that the case would occupy all summer, or occupy a very long time.

"Mr. Cronin was stating a matter of fact in the case. He was presenting his knowledge of the evidence that he, who was to try the case, would introduce. I was simply arguing from general knowledge of what had been said about secounts, and the great mass of evidence thereof. That was simply my view, derived from what I had heard, which was proved by Mr. Cronin's statement to be incorrect. His was a statement of fact in mice was merely argumentative, All parties being represented by him are bound by his statement, and that statement showed that no long complicated secounts were to be examined; that no case was to be trie

Mr. Bartiett continued: "I shall ask the very close attention of the Court, because I come here to argue this fully aware that your Honors IJudges Van Brunt and J. F. Daly.—Rap.] are income the argue this fully aware that your Honors IJudges Van Brunt and J. F. Daly.—Rap.] are income the argue the shall be assent to come the case on a former hearing. But I have no apprehension from that. Upon the motion in the Brink case the Court looked into the question as to whether the case was referable or not, and held that it was not a case in which a compulsory reference could be ordered. In an opinion by Mr. Justice Daniels, the Court said: Proceeding under the order, with the trial of the case before the referse, would not, and should not, denrive the party unlawfully sent before such a tribunal of the objection that the order was made without authority; for such a proceeding is taken in subordination to the unauthorized order, and not for the purpose of accepting the direction given by it, or assenting to the surrender of the right to have the case tried, as it should be tried, by a jury."

Mr. Bartiett also quoted from the decision in the case of Barton agt. Herman, in the Court of Common Pleas. "The Court may, on motion, in certain cases, for sufficient cause, still pass upon and control the acts and proceedings of a referece while the reference is pending, and, in a proper case, set aside his report, or stay proceedings thereon."

"Our second point, and it is a very vital one here, is that it is entirely immaterial whether this Court has previously considered this question or not. The ruies applying to judgments as estoppels do not apply to their full extent to orders made on motion. This Court decided very properly, in 1871, that the order of reference made by the learned Judge at Special Term cannot be vustained unless this was a referable case, independent of any previous order of reference made by the learned Judge at Special Term cannot be vustained unless this was a referable case, independent of any previou

pulsory reference should be rigorously contined to cases involving directly an examination of a long account.

"Our fifth point is that to authorize a compulsory reference can be considered and the contined to a long account. The contined that the ouesion as to whether a summory reference can be ordered in the former, which is the determined by the complaint. Our seventh point is that a nation is not referable where a counter claim involves the examination of a long account. The eighth point is that if the account comes by in rebuttal it is not involved. When the complaint is the count comes by in rebuttal it is not involved. Van Brunt, upon the motion to refer this action, delivered an elaborate and strong opinion that it might be referred by compulsion. I am fully aware that the learned Judges who composes the General Term of this court affirmed that decision. But I say that, although that on his was given in this cause, it was not given the point when the saw them in a different case, has as the earlie of Phanonist are an extremely lost and barren saw them in a different case, has as the earlier of Phanonist are an extremely lost into the part of th

is no way to keep an account which the most satute lawyer in Obristendom could get inte the case.

"Now, after the opinion of Judge Van Brunt, and after his opinion had been confirmed by the General Term of this court, there was a grand review of the whole law of compulsory safer-caces by the General Term of the Supreme Court. While I do not maintain that the General Term of the Supreme Court is superior to the General Term of this court, yet I will ask your Honor to take the opinion of the General Term of the Supreme Court as of a court of coordinate jurisdiction, and look at it, and see if it is a sound and correct exposition of the law on this subject."

Mr. Bartlett quoted severel caces on the point that a reference could not be ordered in this case, because a long account was not involved. It is a commercial or a financial account to which the Code relates—an account in trade or in finance—not a statement of items or any elements of damages for a contract broken, which, if infilled, prescribed the amount required, of examination in detail. Now, your Honor, if the General Term of the Suprome Court is right, then this case cannot be referred by compulsion.

While this may seem, at the close of a tedious day, but a little thing for your Honors to pass appen, I sak you to consider that the first element of civil liberly lies in trial by jury. I confess the plaintiff here may move your sympathies. I know he became remarkable for his exemplary and extraordinary fidelity in his friendship for one man formerly a political power in this city. He shood by that man down to the bour when he entered by the shadow of death. Yet, though he may be a true, faithful, and honest man, he has brought here an illean and unjust claim. No sympathy for him shall influence your Henor to deny justice to the city of New York and to the State of New York, all of whose people are interested in preserving the invaluable right of trial by fury."

Ex-Judge Qardeso replied briefly to Mr. Bartlett, relying the five on the opinions of the Co

NOT A VILE CONSPIRACY.

An Issant Man, a Deaf Custodian, and Som-Late on Wednesday night Policeman David Wright, of Bahway, arrived at the New

rould be ordered.

Mr. Bartlett continued: "I shall sak the very act of 1879 may be extended into the States.

Act of 1879 may be extended into the States. poss to amend so as to provide that it may be extended into the respective States "when requested by the authorities thereof."

Mr. Conkling (Bec., N. Y.) asked Mr. Eaton (a member of the Appropriations Committee) whether the resolution as it came from the House was merely intended to allow a State line to be crossed to complete a national survey. whether the resolution as it came from the House was merely intended to allow a State line to be crossed to complete a national survey. Mr. Eaten (Dem., Conn.) believed so.
Mr. Conkling said if the amendment of the Senate committee was merely intended to pacify the shade of State rights by requiring the invitation of the State authorities, the Senate was taking a good deal over a small amendment.
Mr. Eaten said it was not a shade with him, but a living reality. "While my friend from New York," he continued, "is the main engineer of another great imperial party. I think it proper that we should begin to let the people of the United States understand that the principle of States' rights is a living principle yet, and not the shadow of a shade; that it is not one of the old things that Democracy thought and dreamed of fifty years ago, but it is alive now, and that we stand upon it even here, that a geointo a State without the permission of the State. The debate was here stopped by the expiration of the morning hour.

AMUSEMENTS. A New Play at the Brooklyn Park Theatre "A Golden Game," a new play by Mr. J. W. Shannon, late of Wallack's Theatre, was produced for the first time in the Brooklyn Park Theatre last evening. Without being strikingly original in structure or treatment, i is strong, melodramatic, entertaining, and interesting. It is wrought into a prologue and three acts. The leading characters are introduced in the former, which is thrilling in a familiar way, and they accomplish their destiny seven-teen years later, in three chapters, at a European way, and they accompine their destiny seventeen years later, in three chapters, at a European watering place. The development of the play is active, and divided easily and naturally snough, but there is a painful excess of incongruity and unreasonableness in the treatment of the persons who compose it. The two leading characters are capitally impersonated by Messrs. Shannon and Edeson, but the former is made to mar the whole effect of the play by being unnecessarily Germanized. The appearance of both in Mexican costumes in the first act is another superfluity, and taxes somewhat too heavily the good nature of the audience. The moral purpose of dramatic writing is had well in view, and sentiment is interspersed with a generous, homiletic hand. Virtue has a much better reward than it commonly has, and vice is so inadequately reprehended as to make the climax of the drama too perilously approach the nature of truth.

Taken as a whole, and played as well as it was last evening, it will succeed with the public. Besides, the faults it contains are obvious enough, and can easily be remedied, as they doubtless will be. Its story is interesting, and it is full of fun that is neither coarse nor strained, and it contains, therefore, the qualities that most readily appeal is the public.

Amusement Notes.

Miss Neilson was taken III on Sinday, and was work vesterday. The people I no went to see her as Jafus. Rooth's Theatre, last evening found on the deer a noise that site would be unable to appear. Indermeath was statement by Ir. Valentino Mott that the actives was site fering fer in severe nervous prostration, as a consequence

canic in its entitudiasm.

Miss Annie Fixley gave a picturesque and thoroughly pleasing inpursonation of N he at finvering Brocklyn Theatra last evening. The house was well filled, and the audience disposed to be generous in its appliause. The several paris were well sustained by the company, and the play, as a whole, was evenly and smoothly presented. Mr. Tony Pastor and his troups were at the Williamsburgh Novelty Theatre last evening, and there was a good house in consequence. The programme was long and full of good things. Humbrons variety artists view with each other in presenting amusing and interesting specialties, after which came the hunny sketch, "Go

That Bearing Down Pats

DISPUTE OVER A BULLET. AN EXPERTS ERROR IN FIGURING IN THE BILLINGS TRIAL.

Uphalding his Theory, However, by Sabar. quent Experiments with a Railard Car-bine—The Tray Gugmaker's Tests with a Colt's Kevolver—The Defence Closing Up. BALLSTON SPA, N. Y., May 10 .- The defence all but finished their testimony to-day. At the time of the adjournment of the court at 6 P. M. they had only two witnesses left on their

schedule, and the testimeny of these Mr. Beach promised would be only of the briefest sort. Mr. Moak opened the session on Saturday by impressing the fact that Dr. Mosher had made a mistake in figuring upon the diameter of the bullet which was taken from Mrs. Billings's head. The witness had measured upon this bullet the marks made by the from which it was fired. The lands of this weapon, as shown by the marks upon the bullet, were 2-17ths of an inch in width. The width of the grooves of the weapon, by the same showing, was 2-13ths of an inch. The Doctor's next step had been to assume, taking the size of the hole in the Billings window in connection, that there were five lands and five grooves in the weapon which threw the bullet. By multiplication, addition, and division, the Doctor from these data had determined the diameter of the Billings bullet, and had announced it as about 29-100ths of an inch. He had figured out this result with pencil and paper in the course of this examination. Subsequently, it was pointed out to the Doctor that he had made an error in his calculation. Instead of 29-100ths of an inch, as announced, the diameter of the bullet taken from Mrs. Billings's skull should. inch and a fraction. This would make the bul-let taken from Mrs. Billinge's skull very nearly, or perhaps perfectly, a fit for the Bailard car-bine taken from the well, and generally known

Tate on Wednesday spitch Foliceman in David Wright, of Balwar, arrived at the New Foliance was been believed by the State of the State

within the barrel, and there would be no white smoke and little recoil. From a shorter barrel smoke would come out. There would be both dark smoke and white smoke, the latter being bi-sulphate of potash, caused by particles entering into chemical combination in a high temperature. At this point the witness exploded a little rifls powder on a piate of window glass to illustrate the sort of stain it would make to the Jury. He gave an account of new experiments made by him to determine the penetrating power of builets thrown from a Ballard carbine, and also the distance to which unexploded purticles of powder could be driven from the muzzle of the same weapon. A pile of ten seven-eighth inch boards, separated one from another by half-inch cleats at the extremities, was borne in and placed at the feet of the witness. Into the boards, Dr. Moshersaid, Nelson Lewis, the gunmaker of Troy, had, under his supervision, fred ten shots, using a Ballard carbine and 44-calibre balls. The gun used was foul and rusty, and was not cleaned during the shooting. A fresh pane of glass was set up two feet in front of the target at each shot. Seven shots were fred into the boards. Seven shots were fred through glass and three were fired into the boards without any interposition of glass. The glass was so placed that the ball would strike upon it at an angle of about ten degrees. The first shot was fired at a distance of 12-9-10 feet from the glass, in the temperature being 76° Fabrenheit. The second shot was fired at a distance of 38-10 feet, the fifth at a distance of three feet, the sixth at a distance of 2N feet, and the seventh at a distance of the fifth at a distance of the seventh at a distance of the fifth at a distance of the fifth at a distance of the seventh at a distance of the seventh and all, passed readily. The seventh shot when through the whole pane out.

Mr. Boards were accordinarly struck apart with a hammer, and the winess examining the

on the giass, as did those fired at a less distance.

To Mr. Moak the witness said that these shots were fired at a high velocity. He called 1,000 feet a second a high velocity. He had no means of determining the exact velocity of the shots. The results indicated a wide difference in the penetrating power of the builets. The boards were of solt pine, without knots. The witness thought that the balls would have passed through three or four pine knots of the same thickness on an average. The glass made considerable difference in the penetrating power of the builets—a difference of at least two boards.

Mr. Moak—Now, Doctor, if you know as much about glass as you do about pine knots, how thick is the glass in the Billings window?

Dr. Mosher—I don't think I ought to be held as an export on glass, but— Mr. Moak-Well, well, assume that you know

mething. It may be a violent assumption, Dr. Mosher tkeeping his temper, while Mr. Beach began to move a little uncomfortably in his chair)—I'il measure it if you'll lend mu Monk-We'll lend you anything except

Mr. Mouse we have a satisfaction. We don't want to borrow that, sir.

The witness announced that the Billings window glass was the merest trifle thicker than that which he fired through. It was not enough thicker to perceptibly affect the result of any appriment.

which he fred through. It was not enough thicker to perceptibly affect the result of asy exportment.

Netson Lewis, the gunmaker of Troy, was called to the stand at the beginning of the afternoon session. He vestided to Capt. Butler that he had been a gunsmith for forty-nine sears, and had fired away in experiments twelve pounds of builets a week during the last thirty-five years. He exhibited a builet which he had fired from a Colf's revolver through a nane of glass, a beef hone, a hard board, and into a brick. The builet, when freed how deviced 210 grains, and when revolved it weighted 208 grains. The builet, when freed had which hung together, and did not throw off particles, as builets of hard lead did. It would not be safe to fire any cartridge of less than forty-four calibre in the Billings gun.

Capt. Butler—Sunpass a builet of 44 calibre, shot from a Ballard carbine through a pane of glass into Mrs. Billings's head. Could it, when recovered, show the same sort of heel which the builet that was taken from Mrs. Billings's head does show?

The witness—No, sir. It is beyond the possi-

The witness—Nc, sir. It is beyond the possibilities.

The witness—Nc, sir. It is beyond the possibilities.

Two sashes from the Billings house, corresponding to the one behind which Mrs. Billings was sitting when she was shot, were passed up to the witness. The panes in one of them were riddled with bullet holes. In the other the panes were blown cut. The witness explained that he had fired at them with a Ballard carbine of 44 calibre. When he fired at the sash in which the holes were distinct he held the muzzle of the gun at various distances from the glass. In each case a 44-calibre cartridge, shell and all, could be readily passed through the boles. This was demonstrated to the jury. In the cases where the panes were blown out the muscle of the gun had been held 2 and 2½ feet away." Bullets cast for pistols," the witness continued, "had all weights, between 50 grains and 300 grains. You could find a ball of any weight to the difference of a grain. The country was full of such bullets." When the witness saw the gun that was found in the well there were signs inside the barrel which indicated that it had been ciled before water had come in contact with it. Had it been fired subsequently to the ciling and before it was put in the water, this appearance of the inside of the barrel would not have been preserved. The hore would have rusted throughout. As it was, there were only little spots or specks of rast, indicating where the water had rolled up and gathered in like bends.

Mr. Moak took the witness. The gunmaker said that his age was 70 years. He said that the reason why the interposition of a thin sheet of glass made such a difference in the penetrating power of a bullet was that the glass more treat when indicated was more than a top would. The more a bullet canted the less would be its penetration. does show?
The witness—No, sir. It is beyond the possibilities.

her threat with a carving knile, inflicting injuries which are likely to prove fatal.

During the winter the residence of Mr. David James, in Northport, L. I. has been unoccupied. Mr. James, upon visiting it on Saturday, found every movable thing of value had been stolen.

A body found in the North River, near the Erie grain elevator in Jersey City, on Sunday, is believed to be that of an employee at the statiotr in Jersey City who was known as "Johnny the Wing."

In a fight between John Rogers and William Clark, in the alley of their residence at 371 Hudson avenue, Brooklyn, last night, Rogers struck Clark with an axe, inflicting a severe wound on the head.

There was no service in the East Avenue Baptist Church. In Hunter's Point, on Sunday. A part of the wall under the church was mischevously forn down on Saturday night, rendering the building unsafe.

Policeman Nneat, who was tried for complicity in the Manhatton Bank burglary, has bought a saloon at Houston and Solving streets. Nugerit handed the former propriet of ELOMIN trade dollars when he bought the good will.

A number of boys employed at the Williamsburgh Fint

proprietor \$2,000 in trade dollars when he bought the yood will.

A number of boys employed at the Williamsburgh Fint Glass Works at Throug avenue and Gerry Atreet, Brooklyn, vesterday struck for higher wages, and interacted trouble to those who attempted to to to work in their places, but the police prevented disturbance.

The trial of detective Murphy, of Capt. McDonnell's commant, on charges of thackmaining the keeper of a desorterly house, was concluded yesteria at the his own behalf denied the charges. Decision reserved.

If some enterprising livery stable man or company would start a line of the charges. Decision reserved.

If some enterprising livery stable man or company would start a line of the charges and the his own behalf denied the charges the stable of the stable and around Fort Washington, it would be doing the public a lavor and put money in their pockets.

During the last voxage hence to Liverpool of the Imman steamer off to off Belinmond, a concert given by the members of Col. Mapleson's Italian Opera Company was highly enoyed and suprecisted by all on board. The proceeds, amounting to a handsome sum, were for the benefit of the Seamen's Orphansage in Liverpool.

Willie Kennedy, B years old, son of H. H. Kennedy of Orance and First streets. Newark, N. J., was sent after.

Willie Kennedy, 8 years old, son of H. H. Kennedy of Orange and First streets, Sewark, N. J., was sent after a pitcher of water on Sinnday eventur. He stimbled and fell on the Newark and Orange street car track, and the Michael of car passed over one of his feet. At St. Michael of the Newark and orange street car track, and the boy died.

At the annual meeting of the American Dramatic Fund Association, yearerday, the following gentlemen were restricted? Frondent, S. L. M. Barkow, Esq.; Trussees, R. B. Bosevett, Esq., S. H. Hurd, Esq., S. H. Hartson, F. B. Chantrau, T. J. Hind, F. L. Rogers, Geo. Becks, W. R. Denham, C. J. Hind, F. L. Rogers, Geo. Hecks, W. R. Denham, C. J. E. F. Taylor, Carl Abrent, J. H. Steddart; Serretary and Trussurer, W. B. Harrison; Physician, Dr. H. F. Quackenboss.

Ladies, Great Excitement

Four four-story buildings and eighteen warcroom filled with furniture, carpets, stoves, &c., purchased to fore the recent advance in prices, now selling at low faures for cash, or weekly or monthly installments as Cowperthwait's, 153 to 157 Chatham at. Our store car be seen by looking down Chatham at. from Chatham square station eigensed.—dos.

M. DE ZELENKOFF'S PLAINT. HIS STORY OF THE BARBAIN WITH THE COLLINS RECTHERS.

The Injunction against Belivering the Rep-posed Maney Letters New in this City to the Collins Pamily Yesterday Continued, The seventeen registered letters from Belgium which are in the Post Offices of this city and Brooklyn, addressed to Misses Maggie and Mary Collins, and other members of the family of John Collins of 874 Franklin avenue, Brooklyn, have not yet been delivered, although they have been in the Post Office since January. They are supposed to contain the proceeds of the alleged swindle of the Russian noble-man, Eugene de Kelenkoff, Honorary Coun-sellor of the Naval Department of the Russian Government, by John Joseph and Henry Collins, sons of John Collins, in Brussels, in france, or \$16,600, for an apparatus for making wool out of rage, which was represented to be of platinum, but afterward proved to be only

When the letters containing the money were traced to the United States Post Office Department, application was made for their return, on the ground that they contained stolen money: but it was decided that the most that the Gov-erament could do to assist the alleged victim of

the two young Americane was to notify his representative of the time of the drivery of the interpretation of the time of the drivery of the interpretation of the time of the drivery of the interpretation of the process of the control bagan a suit to restrain John Collins, Mary Collins, John Joseph Collins, Maggele Collins, Mary Collins, and Henry Collins, for the collins of the

Why he Did Not Defend his Wife's Divorce Sult.

The limited divorce suit of Annie L. Carlson against August Carlson was recently decided in her favor, the defendant not appearing in the case. They were married on May 1, 1877, and they lived together until married on May 1, 1877, and they lived together until August, 1879. The defendant claims that he was ad-vised by a lawyer, who, it afterward appeared, had drawn the papears in the suit for the plaintiff, although he did not appear as feer accorney, that if he took no led the appear as feer accorney, that if he took no required to the papear and the second of the control of the papear and the second of the control in the second of the control of the control of the second would be mulcted for alimony. Justice Gilbert vesterday granted an order opening the default, and directed the defendant to pay \$25 counsel fee for the plaintiff.

The Great Dog Show.

From three to four hundred dogs were last of the Westminster Kennel Club, in Madison Square Garden, this morning. By 10 A. M. to-day it is expected that the 1,117 entries, representing 1,230 dogs, will all be in their proper kennels, which have been arranged in regular eccitors on the main floor, will nieuty of space for visitors to promenate and see the dogs. The assortinent is the largest and fluest ever brought together, sepresenting dogs from all parts of the world. There are 219 city exhibitors, including all classes. Among the celevated dogs which arrived vesterday were the champion English setters, Druid and Queen Mah, from Michigant Cordon setters and bearies from the Toledo Kennel Club, the firsh water spaniel Barney and Irah setter Tollisten, rom Valparaiss. Ind. the champion setter Biossom, from Canada, and hundreds of others. of the Westminster Kennel Club, in Madison Square Gar

Two wild steers escaped from the drover in lerses City vesterday, at Grove and Righth streets, and one of them attacked Mrs. Anna Greenfield, and before it

Hunter Baltimore Rye Whiskey, The purest Ryc Whister in the world. Distilled by Wm Lamanan & Son, Baltimore. Sole agent, S. M. Saunders, 19 South William at — 4ds. Oh! My Hend Aches!

BINANCIAL AND COMMERCIAL New York Stock Exchange-Sales May 10.

| ROBERT | Mark | Color | Colo

Mondar, May 10.

The stock market quite broke down in prices this morning. Western Union and the coal shares taking the lead in the 'tumble.' It was not so bad a break as that of last Novembor, but sufficiently serious to a large number of holders. There was a partial recovery between calls, but renewed depression at the second board, when Erie, Lake Shore, Western Union, Northwestern, St. Paul, Del., Lack, and Western and Pacific Mail were the most freely offered. The latest dealings were at about the lowest figures, except for Northern Pacific preferred and Ontario and Western. The following will show the more important declines for the day; B. C. R. and N. 5%; Canada Southern, 4%; C., C., C. and Ind., 3%; Ches, and Ohio, 2%; Central Pacific, 3; Del., Lack, and Western, 5%; Del. and Hudson Canal Co., 3%; Erie Railway, 3%; Erie and Western, 2; Hannibal and St. Joseph preferred, 2%; Iron Mountain, 6%; Illinois Central, 3%; Lake Shore, 3%; Michigan Central, 4; Milwaukee and St. Paul, 3%; Kansas and Texas, 3%; New Jorsey Central, 5%; Northewestern, 3%; Nashville and Chattanooga, 4; New York Central and Hudson, 13; Ohto and Miss., 4%; Ontario and Western, 1; Rending, 5%; Wabash and Pacific, 5%; Wabash and Pacific preferred, 1%; Union Pacific, 4; Wabash and Pacific, 5%; Wabash and Pacific, 5%; Wabash and Pacific preferred, 5%; Morthern Pacific preferred, 1%; Union Pacific, 4; Wabash and Pacific, 5%; Watash and Pacific, 5%; Watash and Pacific, 5%; Watash and Pacific, 5%; West. Union Pacific, 5%; Watash and Pacific, 5%; Watash and Pacific, 5%; Watash and Pacific, 5%; Wa

Internal Revenue receipts to-day, \$709,722; customs, \$925,009.

Fewer votes were cast at the annual election for officers of the Stock Exchange to-day than at any election in its history. There was no opposition, the 37 votes polled being for the following ticket: President, Donald Mackay; Chairman, James Mitchell: Vice-Chairman Chairman, James Mitchell; Vice-Chairman, Alexander Honriques; Treasurer, D. C. Hays; Secretary, B. O. White; Trustee of Gratuity Fund, Henry Meizs. Governing Committee, to serve four years—Brayton Ives. Wm. Lummis, W. B. Dickerman, A. M. Cahoone, Wm. Alexander Smith, C. K. Bandall, H. H. Hollister, Wm. McClure, George H. B. Hill, A. F. B. Martin; to serve three years—E. A. Drako, Laurens Joseph, S. V. White; to serve two years—Nelson Robinson, George H. Palmer; to serve one year—It. L. Anderton, Jr.

-R. L. Anderton, Jr.
The receipts of grain at this port to-day were unusually large, aggregating 1,858,006 bushels, of which 1,063,253 bushels came by canal and the remainder by rail and constwise. The receipts of wheat were 755,753 bushels.
The Cotton Exchange voted to-day to close during Whitsuntide, the 17th and 18th.

Judge Drummond has directed the receiver of the Chicago and I was Railroad Company to apply the sum of \$148,500, now on hand, toward paying the face of the overdue coupons of the second mortgage bonds of the company. A bill has been introduced into the House of Representatives to repeal section 5,176 of the Revised Statutes, limiting the circulation of each national bank to \$500,000, and to amend section 5,171 so as to allow to each bank a circulation not exceeding the amount of its capital stock.

section 5.171 so as to allow to each bank a circulation not exceeding the amount of its capital stock.

A bill was introduced in the House to-day by Mr. McCord of Iowa, requiring all railroad companies engaged in commerce among the States to make and publish on March 1, 1881, a complete table and schedule of fees, rates, and charges intended thereafter to be in force, which rates shall be uniformly, impartially, and invariably charged, except when, for good reasons in extraordinary cases, a departure therefrom is necessary. This schedule of rates must be printed in plain type and posted in the ticket offices. Any acts, contracts, consolidations, discriminations, robates, drawbacks, poolings, or extortions which shall be against public policy are forbidden. Any company may change its schedule upon giving thirty days notice. Penalties and punishments are provided for violations of the act. The act provides for the appointment by each Congress of a committee of nine, one from each United States indicial circuit, to be called the Committee on Supervising Railways, whose duty it shall be to examine and report and advise whenever more efficient legislation is deemed necessary, said committee to be empowered to sit during vacation and to take testimony.

In reference to the project of reducing the interest on the British consols from 3 % cent. to 2% % each, the London Times of April 28 confirms the judgment we expressed when the catle despatch on the subject came over. It says: "No sufficient amount of 2% % each, stock could be placed at par, and without the power to do that nothing would be gained by the change."

the change."

A letter from Berlin to the London Economist, upon the subject of the alleged tendency of the German Government to favor a resumption of the double standard, says: "Not the slightest credit is due to such rumors. Leading financial authorities of all shades of opinion are united in the belief that it is impossible for Germany to resume the double standard without the cooperation of England. Undoubtedly an able and influential bi-metallist party exists in Germany and still hopes to secure England's help in remonetizing sliver, but they agree with the single standard party in opposing isolated action."

New York Markets.

Mondat, May 10.—Flour and Meal.—Were unchanged, with only a moderate business in mostgrades, but Minness the active We quote: hour-No. 2 52.76650. 75. superfine. 54.256554.65. sures state. Ac., 85.65656. sures state. Ac., 85.6566. sures sur

Receipts of betwee to-day and yesterday, 3,000; for the west, 11,504.

Sheep and ismbs were active at full prices, with sales of sheep at 45,005,6 W B, for clipped, 65,075,c for sushorn, and at 8,010; W B, for expring lamba. Receipts, 7,594, making 25,162 for the week.

Of the 12,850 live bors received to-day and yesterday only about 100 were for sale alive, and these had not charged hands at a lise hour. Market weak and nominally quoted at \$4,000,050,000 W 100 bs.

MARINE INTELLIGENCE.

Sun rises..... 4 54 Sun sets..... 7 00 Moon sets... 6 40 Sandy Hook .. 5 49 Gov. Island .. 9 29 Hell Gate ... 11 16 Sa Helvetia, Rogers, Liverpool April 28, and Queens

tewn 20th. B. Cort. Middlesboro.
Sa Hatteras, Baaz, West Point, Va.
Sa Hatteras, Baaz, West Point, Va.
Sa Rantago, Phillips, Clearluges.
Sa Harrood, Hein, Havre.
Sa Harrood, Hein, Havre.
Sa Timesh, White, Bombay March 20, and Gibrukar

Se Timsah, White, Bonnay March 2 April 21. Se Falerno, Neill, Huil. Se Guy of Ballas, Hisk, Jacksonville. Berk Neile Freet, Davis, Indique. Berk Albie Freet, Davis, Indique. Bark Audiste, Hilmier, Bremen, Bark Der Nord, Wagner, Stettin, Bark Budeavor, Mountfort, Cardenas.

Bark Der Nord, Wanner L. Cardenas.
Bark Rudeavor, Monottort, Cardenas.
ARRIVED QUT.
Bs Anglia, from New York April 23, at Hord.
Ss Otranto, from New York April 23, at Hord.
Ss Osrah Ann, from New York April 23, at Hord.
Bs Volmer, from New York April 24, at Mavre.
Sa Wheatfield, from New York April 24, at Mavre.
Sa Wheatfield, from New York April 26, at Mavre.
Sa Wheatfield, from New York April 29, at

Glascow.

Se Herder, from New York April 29, has been signalled off the Lizard, on her way to Hamburg.

Se Castalia, from New York April 22, at Bristol.

Se Astaone, from Queenstown, for New York,

Se Gellert, from Havre on Seturday, 5th insk, for New York. Se City of New York, from Queenstown, for New York. Se Silesia, from Plymouth, for New York.

Insiness Notices:

Rupture Radically Cured by Dr. Marsh's treatment, 40 years' practical experience. Office, 2 ve-sty at., Aster flouse, opposite St Faul's Church. Mo mp town branch.

Fine Pearl Derbys, \$1.90, worth \$3. Still hats \$3.20, worth \$5. 15 New Church st. up stairs.

BURNEYT-FISHER.—In this city, Tuceday, April 27, ty the Rev. A. B. Simpson, W. H. Burnett to Mine Sarah. F. Fisher, only daughter of the late Thomas J. Fisher. FRANK—JOHUNN.—Un Sunday, May 9, by the Rev. L. Street. My. Lawis M. Frank to Miss Addle P. Johun, B. Streeter, Mr. Lewis M. Frank to Miss Addie P. Johann, all of New York.

FURNAN-MARTIN.—On Wednesday, April 28, 56

FORRIT Avenue Presbyterian Church by the Rev. Howard Grosby, D. D., Gudo Furnam, M. D., to Adaline E. Martin.

KENNEDY—BROUNSON.—On Wednesday, May 5, by the Rev. William H. De L. Graunis, at St. James's Episcoral Church, Gosben, N. Y., John R. Kennedy, of White Plains to Jessie B. Brounson of Goshen.

DIFORCED.

DONORUE —In Brooklyn, May 10, Bridget, beloved wife of Peter J. Donohne, aged 45.
Funeral from her late residence, 46 Wallabout at., May 12, at 0.30 A. M., to St. Patrick's Church for a requieumass. Relatives and friems are invited.
Funeral without further nonce.
MITCHELL.—On Saturday, May 8, after a severe illness, Sarah, wife of Join Mitchell, in the 49th year of the rare. ness, Sarah, wife of John Mitchell, in the 49th year of her age.

The relatives and friends of the family are respectfully invited to attend the funeral on Tuesday af erhoon, the 11th inst, at 2 o'clock, from the Amale Street Freeby-terian Church, corner of Ainshe and Ewen sts. Brook-brian Church, and the May 10. Jeanette, wife of Robert McQuihae, in the 76th year of her age.

Relatives and friends are invited to attend the foneral on Wedinesday. May 12. at 1 o'clock, from the North Dutch Church, 111 Fulton st., interment at Woodlawn. Train leaves Grand Central Depot at 2:30 P. M.

SALLEY.—Mary, wife of Francis Salley, in the 51st year of her age.

the funeral from her late residence, 329 Spring st; thence to St Anthony's Church, Sullivan st, on Wednes-day, May 12, at 10 A.M. Specul Hohces.

KEEPS SHIRTS. GLOVES, UMBRELLAS, UNDERWEAR, Ac., Ac. SAMPLES AND CIRCULARS MAILED PREE.

car of her age. Relatives and friends are respectfully invited to attend

KEEP MANUPACTURING COMPANY, 193 BROADWAY, between 28th and 20th sts. N. W. 637 BROADWAY, N. Y. 341 FULTON ST., Brooklyn. MERCANTILE LIBRARY ASSOCIA

IMPORTANT NOTICE TO MEMBERS,
Annual moeting at CLINTON HALL,
TUESDAY EVENING, May 11, 1880.
An amendment to the Constitution will be considered favoring the return to annual elections for directors, and all members are carriestly requested to be present and assist in restoring the association to its old-time prosperity ASSISTED THE ASSOCIATION TO ITS Old-time prosperity

VAN BELL'S" RYE AND ROCK "IS THEE
only commer, all other is initiation. VAN BELL'S" Rys
and Ruck" is for sale by drawvists and grocers. See signature of N. VAN BELL on intel. Depot, corner 18th st.
and Broadway.

TO MOTHERS.

Mrs. WINSLOW'S SOOTHING, SYRUP, for children relieves the child from palo, inviscorates the stomach and
howels, corrects acidity and wind come. 25 cents a bottle.

FUSSELL'S ICE CREAM IS GOOD. One quart and upward delivered to families. Order by postsi. Churches supplied. Established 1851. 12 libble House.

Rew Publications, OLD SLETTH IN HARNESS AGAIN.

THE KING OF THE DETECTIVES. Startling Developments Among the Moonshiners. POWERFUL DETECTIVE STORY,

Benitted

RON BURGESS, THE GOVERNMENT DETECTIVE

BY OLD SLEUTH,

Author of "The Lady Detective," &c. This story is common ed in No 656 of THE NEW YORK FIRESIDE COMPANION, out to-day, THE FIRESIDE COMPANION is for sale by all newsdealers.

L OST from 3 East 18th at, last Friday evening, between 8 and 0 octock a volkskiller Bill E-AND-TAN TERRIER BITCH about Tyears old weight 7 pounds. A very liberal reward officed for her return to 100 3th av. LONT-\$10 Reward -Saturday evening a medium-sized common dark yellow dog, short hair, ears not cut, answers to the name of "Prince." Anybody return-ing the dog to 43 West Bid at will receive the above re-ward.

ward.

LONT-From Standard Gil Vard. Honter's Point, small lighter, with cord wood, information of same will be suitably rewarded by applying to McCallin Rich. 22 hours William at. New York. L ONT-Saturday, at Mary's, red leather porketbook containing keys, \$30 in bills, and envelope addressed Virginia. Colorado The finiter with the liberally rewarded by returning same to A. J. MASON, 69 Nurray at. LOST Bank book. No. 44 C20. Bank for Savings, 67
Rheecker st., New York, payment stopped. Please
Openings,

Openings,

O'N MAY 8 I shall remove from my present place.

O'n MAY 8 I shall remove from my present place,
non at 270 East Houston at All my friends and customers are invited to the opening.

ANNIE GABEL, Widow.

RON STABLE PITTINGS, Hay rack, man-gers, stail guards, boats, &c., our own mass of No. 2 tron; castings straight and smooth. Semi for castingue. ARES A KHITLAND, 15 Aurrs) of